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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Claude-Marie DAUGAN

Serial No. 08/669,389

Filed: July 16, 1996

For: Tetracyclic Derivatives, Process of  
Preparation and Use

: Group Art Unit: ~~1005~~ 1202 mw

: Examiner: N G O

HAR 12 1997

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97(b)

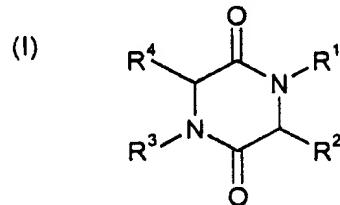
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

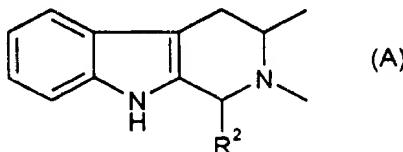
Applicant wishes to direct the attention of the Examiner to the information submitted herewith, which may be material to the prosecution of the above identified application. The publications are listed on attached Form PTO-1449 and a copy of each is submitted herewith for the Examiner's review.

This disclosure of information is being made prior to the issuance of a first Official Action on the merits of this application, and no fee is therefore due.

The only publication listed which is not in the English language is EPO362555A, which is in German. This publication describes compounds of formula (I):



where R<sup>3</sup> and R<sup>4</sup> may together form a mono-, bi-, or tri-cyclic heterocyclic ring system containing 3 to 15 ring carbon atoms. Suitable ring systems A-R are described. Therefore, there is no specific disclosure of the tricyclic ring system (A) of the current application:



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Further, EP0362555 does not disclose any substituents on the heterocyclic rings formed by R<sup>3</sup> and R<sup>4</sup>, whereas in the current application, R<sup>2</sup> is never hydrogen. Thus, formula (I) of the current invention is novel over the disclosure of EP0362555.

In order to prepare a compound of formula (I) from the prior art disclosure, a skilled artisan would need to choose the tricyclic ring system (A) from the vast number of tricyclic ring combinations available and would further have to choose to substitute this ring at position R<sup>2</sup>. Thus, it is submitted that the current application is also inventive over the disclosure of EP0362555.

The Examiner is most respectfully requested to return an initialed and dated copy of the attached Form PTO-1449, as well as of the Form PTO-1449 submitted on July 16, 1996, to confirm that all publications cited by applicant have been considered and made officially of record in the file of the above identified application.

Respectfully submitted,

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March 10, 1997

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